



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADOPTED


BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

October 06, 2015

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October 27, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012


PATRICK OZAWA
ACTING EXECUTIVE OFFICER

Dear Supervisors:

**ANNEXATION AND LEVYING OF SEWER SERVICE CHARGES TO THE CONSOLIDATED
SEWER MAINTENANCE DISTRICT OF PARCEL NO. 200-16 WITHIN THE CITY OF PICO RIVERA**

(SUPERVISORIAL DISTRICT 1)
(3 VOTES)

SUBJECT

This action is to approve annexation of the City of Pico Rivera into the Consolidated Sewer Maintenance District of the County of Los Angeles and levying of sewer service charges on properties within the City of Pico Rivera.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE
CONSOLIDATED SEWER MAINTENANCE DISTRICT:**

1. Adopt the Resolution of Intention to set a public hearing regarding the proposed annexation of territory within the City of Pico Rivera to the Consolidated Sewer Maintenance District and the levying of sewer service charges within the annexed parcel.
2. In accordance with Health and Safety Code Sections 4897 through 4899, instruct the Director of Public Works or her designee to post notices of the hearing in at least three conspicuous places in the territory proposed to be annexed and in at least three conspicuous places in the Consolidated Sewer Maintenance District. The notices shall contain a description of the territory proposed to be annexed; the date, time, and location of the hearing; and shall be posted not less than three weeks prior to the date set for the hearing.
3. In accordance with Health and Safety Code Section 4899, instruct the Acting Executive Officer of the Board to publish the notices once a week for two consecutive weeks in both English and Spanish

newspapers.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE CONSOLIDATED SEWER MAINTENANCE DISTRICT:

After considering any testimony and objections to the proposed annexation:

- a. Find that the annexation and levying of sewer service charges are to meet operational expenses to maintain service within the proposed annexation areas and are statutorily exempt from the California Environmental Quality Act.
- b. Find that the parcel proposed to be annexed will be benefited by the annexation, authorize the boundaries of the Consolidated Sewer Maintenance District to be altered to include such benefited parcel, and order levying of sewer service charges within the annexed parcel to be effective in Fiscal Year 2016-17.
- c. Adopt the Property Tax Transfer Resolution approving and accepting negotiations that there will be no exchange of property tax revenues from the annexation of the parcel.
- d. Instruct the Director of Public Works or her designee to file the statement of boundary change with the State Board of Equalization and the County of Los Angeles Assessor's office.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to annex the City of Pico Rivera (City) to the Consolidated Sewer Maintenance District (District) and to levy sewer service charges on properties within the City.

On August 25, 2015, the City Council adopted City Resolution No. 6826, requesting annexation of all City territory currently being served by the City's local sanitary sewer system into the District for improved operation, maintenance, and management of the City's sewers. The City currently maintains its sewers and funds the operations through the collection of sewer service charges on property owners' annual tax bills. The City's sewer service charge rate is the same as the District's, and the rate will not change upon annexation.

Approval of the proposed annexation will allow the District to maintain the local sanitary sewers within the City. The sewer service charge to be levied on the annexed parcel is to provide funding for the District to maintain the sewer facilities in compliance with the State Water Resources Control Board's regulatory requirements and Public Health standards.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1), Community Support and Responsiveness (Goal 2), and Integrated Services Delivery (Goal 3). Annexing additional parcels into the District and levying charges will ensure sufficient funds are generated for the continued maintenance of the sewer system in a cost-effective, safe, and environmentally sound manner.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund. Upon approval by the Board, this action will generate an estimated \$960,000 in additional annual revenue to the District effective July 1, 2016, to provide for ongoing sewer maintenance operations. The additional revenue will be included in the District's Fiscal Year 2016-17 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

These recommended actions are required to annex parcels that will benefit from sewers maintained by the District.

The areas to be included are located within the City. The procedures to annex territory into the sewer maintenance districts are set forth in Health and Safety Code Section 4895 et seq. In order to annex territory located within a city, these procedures require consent of the governing body of such city. The City has adopted a resolution granting consent and jurisdiction to the County of Los Angeles (County) for the inclusion of sewer areas within the City into the District (Enclosure D).

In order to effectuate an annexation, Section 4896 of the Health and Safety Code requires the Board, by resolution, to fix a time and place for a public hearing regarding the proposed annexation. Consistent with this requirement, the Resolution of Intention (Enclosure A) identifies the areas proposed to be annexed. Sewer service charges shall be determined in accordance with Title 20, Divisions 2 and 3 of the Los Angeles County Code.

In accordance with Health and Safety Code Sections 4897 through 4899, the Department of Public Works shall post the required notices of the public hearing (Enclosure B) in at least three conspicuous places in the territory proposed to be annexed and in at least three conspicuous places in the District at least three weeks prior to the date of the hearing.

Because the District will be performing the same services that are currently being performed by the City and the same fee will be imposed upon each property within the annexed territory that is currently being charged, this annexation will not result in a new or increased fee that would be subject to the requirements of Proposition 218 (California Constitution, Article XIII D, Section 6).

As required by Section 4899 of the Health and Safety Code, the Board shall direct the Acting Executive Officer to publish a notice of the hearing in a newspaper of general circulation once a week for two successive weeks.

Pursuant to Section 99 of the Revenue and Taxation Code, there will be no exchange of property tax revenues as a result of this action.

The Director of Public Works or her designee shall file the necessary statement of boundary change with the State Board of Equalization and the County Assessor's office as required by Section 54900 of the Government Code and Section 99 of the Revenue and Taxation Code.

This proposal was reviewed by the Director of Public Works or her designee, acting as the County Surveyor, and the County Assessor's office. The boundaries were approved as to definiteness and certainty and are shown on the enclosed legal description.

The Resolution of Intention, Property Tax Resolution (Enclosure C), and Notice of Hearing have been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The proposed annexation and levy of sewer service charges is to fund operating expenses to maintain existing sewers and is exempt from the California Environmental Quality Act (CEQA) pursuant to the Public Resources Code, Section 21080 (b)(8) and Section 15273 (a) of the CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will result in the annexation of an additional 109 miles of sewer lines to the District. The revenue to be generated will be sufficient to fund the increased cost of maintaining the sewers within the new service area. The recommended action will not have a negative impact on current County services or projects.

CONCLUSION

Please return two adopted copies of this letter to the Department of Public Works, Sewer Maintenance Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

GF:DJL:sb

Enclosures

c: Assessor
Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, CALIFORNIA
APPROVING AND ACCEPTING NEGOTIATIONS
THAT THERE WILL BE NO EXCHANGE OF PROPERTY TAX REVENUES
FROM THE ANNEXATION OF PARCEL NO. 200-16
TO THE CONSOLIDATED SEWER MAINTENANCE DISTRICT

WHEREAS, pursuant to Section 99 of the Revenue and Taxation Code, prior to the effective date of and jurisdictional change, the governing bodies of all agencies whose service areas or service responsibilities would be altered by such change must determine the amount of property tax revenues to be exchanged between the affected agencies and approve and accept the negotiated exchange of property tax revenue by resolution; and

WHEREAS, the Board of Supervisors of the County of Los Angeles is required to negotiate any exchange of property tax revenues on behalf of special districts located within the County; and

WHEREAS, the Board of Supervisors, acting on behalf of the County of Los Angeles and the Consolidated Sewer Maintenance District, has determined the amount of property tax revenues to be exchanged as a result of the annexation of Parcel No. 200-16.

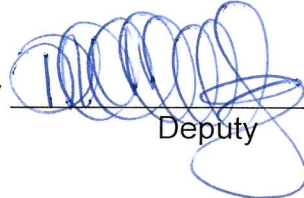
NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The negotiated exchange of property tax revenues resulting from the annexation of Parcel No. 200-16 to the Consolidated Sewer Maintenance District, entitled Annexation No. 200-16 is approved and accepted.
2. For fiscal years commencing on and after July 1, 2016, no transfer of property tax revenues shall be made as a result of this action.

The foregoing Resolution was adopted by the Board of Supervisors of the County of Los Angeles on the 27th day of October 2015.

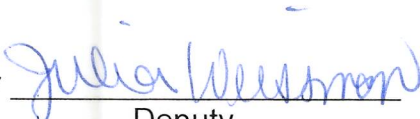


PATRICK OGAWA
Acting Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy

APPROVED AS TO FORM:

MARY WICKHAM
Interim County Counsel

By 
Deputy


JT:sb
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ENCLOSURE D

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

§

I, Anna M. Jerome, City Clerk of the City of Pico Rivera, do hereby certify that the foregoing Resolution, being Resolution No. 6826 was duly adopted by the City Council of the City of Pico Rivera at a regular meeting of the City Council duly held on August 25, 2015, and thereafter was duly signed by the Mayor of the City of Pico Rivera.


City Clerk

RESOLUTION NO. 6826

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PICO RIVERA, CALIFORNIA, GRANTING
CONTINUOUS CONSENT AND JURISDICTION TO
THE COUNTY OF LOS ANGELES FOR THE
INCLUSION OF THE CITY OF PICO RIVERA WITHIN
A COUNTY SEWER MAINTENANCE DISTRICT**

WHEREAS, currently the City does not have the resources, staff, or the equipment necessary to maintain sanitary sewers; and

WHEREAS, it appears in the public interest and convenience that all areas served by sanitary sewers in the City of Pico Rivera be included in a County sewer maintenance district.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PICO RIVERA DOES RESOLVE AS FOLLOWS:

SECTION 1. That the public interest and convenience require all territory served by sanitary sewers within the boundaries of the City of Pico Rivera to be included in a County sewer maintenance district formed for the purpose of maintaining local sanitary sewers pursuant to Chapter 4, Part 3, Division 5 of the Health and Safety Code, as amended, or Chapter 26, Part 3 Division 7 of the Streets and Highways Code, as amended, of the State of California.

SECTION 2. That pursuant to the authority vested in it by Section 4894 of said Health and Safety Code, or Section 5837 of said Streets and Highways Code, the City Council, being the legislative body of the City of Pico Rivera, hereby consents, subject to Section 3 below, to the inclusion of City territory designated in Exhibit "A", attached hereto and incorporated herein by reference, within a County sewer maintenance district, and to the exercise of exclusive jurisdiction by the Board of Supervisors of said County of Los Angeles over all proceedings necessary thereto for the purpose of consummating the same pursuant to applicable laws.

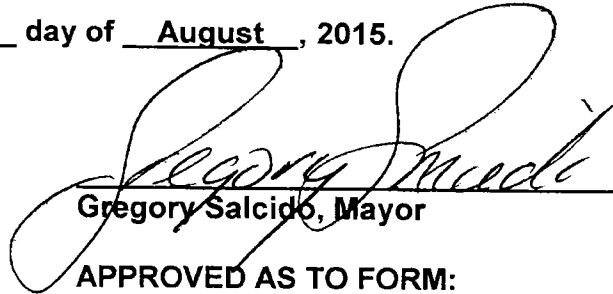
SECTION 3. That said consent and jurisdiction granted to the Board of Supervisors as set forth in Section 2 of this Resolution shall not be construed to request, require, or permit the immediate inclusion of all territory within the City of Pico Rivera in a County sewer maintenance district, but only to request or permit the immediate inclusion of areas that are now served by sewers, or that are assured of having sewer service in the near future. Additional served areas may be included in a sewer maintenance district by annexation proceedings from time to time without securing further consent and grant of jurisdiction from this Council.

SECTION 4. That the City Clerk shall certify to the adoption of this Resolution, and it shall become effective immediately upon adoption.

RESOLUTION NO. 6826

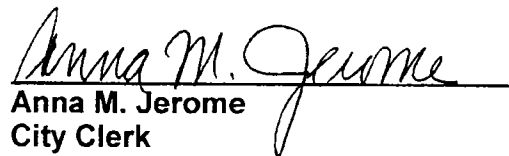
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ADOPTED AND APPROVED this 25th day of August, 2015.



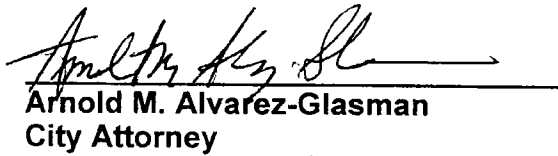
Gregory Salcido, Mayor

ATTEST:



Anna M. Jerome
City Clerk

APPROVED AS TO FORM:



Arnold M. Alvarez-Glasman
City Attorney

AYES: Archuleta, Armenta, Camacho, Tercero, Salcido
NOES: None
ABSENT: None
ABSTAIN: None